



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

Pinson Valley PA
Ref. 29

NOV 30 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. W. Mark Poling
Manager of Engineering and Environmental Compliance
ABC Coke Division, Drummond Company, Inc.
900 Huntsville Road
PO Box 10246
Tarrant, Alabama 35202

SUBJ: RCRA Compliance Evaluation Inspection
ABC Coke Division, Drummond Company, Inc.
EPA ID# ALD000823179

Dear Mr. Poling:

Enclosed is a copy of the U.S. Environmental Protection Agency inspection report documenting the results of the August 30-31, 2011, inspection of ABC Coke Division, Drummond Company, Inc. located at 900 Huntsville Road in Tarrant, Alabama. This was an EPA Compliance Evaluation Inspection (CEI) for the purpose of evaluating the facility's compliance with the applicable Resource Conservation and Recovery Act (RCRA) regulations.

Enclosed is the CEI report that indicates findings of RCRA were discovered. A copy of this report has been forwarded to the Alabama Department of Environmental Protection (ADEM).

If you have any questions regarding this matter, please contact Paula Whiting by phone at (404) 562-9277 or by email at whiting.paula@epa.gov.

Sincerely,

Douglas C. McCurry, Chief
North Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch

Enclosure

cc: James K. Burgess, ADEM (electronically)



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NOV 30 2011

Jeffery W. Kitchens, Chief
Industrial Hazardous Waste Branch
Land Division
Alabama Department of Environmental Management
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059

SUBJ: RCRA Compliance Evaluation Inspection
ABC Coke Division, Drummond Company, Inc.
EPA ID# ALD000823179

Dear Mr. Kitchens:

On August 30-31, 2011, a United States Environmental Protection Agency Compliance Evaluation Inspection was conducted at ABC Coke Division, Drummond Company, Inc. in Tarrant, Alabama, to determine the facility's compliance status with the Resource Conservation and Recovery Act (RCRA).

If you have any questions regarding this matter, please contact Paula Whiting by phone at (404) 562-9277 or by email at whiting.paula@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas C. McCurry".

Douglas C. McCurry, Chief
North Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch

Enclosure

RCRA Inspection Report

1) Inspector and Author of the Report

Paula A. Whiting
Environmental Engineer
whiting.paula@epa.gov
(404) 562-9277

RCRA and OPA Enforcement and Compliance Branch
US EPA Region 4 SNAFC – 10th Floor
61 Forsyth Street, SW
Atlanta, Georgia 30303

2) Facility Information

ABC Coke Division, Drummond Company, Inc.
900 Huntsville Road
PO Box 10246
Tarrant, Alabama 30038
Jefferson County
EPA ID# ALD000823179

3) Responsible Official

W. Mark Poling, Manager of Engineering and Environmental Compliance

4) Inspection Participants

Mark Poling	ABC Coke Division, Drummond Company, Inc.
Bill Osborn	ABC Coke Division, Drummond Company, Inc.
James Burgess	ADEM
Adam Moore	ADEM
Clay Messer	ADEM
Kollan Spradlin	ADEM
Paula Whiting	US EPA Region 4

5) Date and Time of Inspection

August 30, 2011, at 10:00 a.m. CDT
August 31, 2011, at 9:00 a.m. CDT

6) Applicable Regulations

Sections 3002 and 3007 of RCRA

40 C.F.R. § Parts 260 through 268, 270, 273 and 279

ADEM Administrative Code 335 Division 14

7) **Purpose of Inspection**

The purpose of this inspection was to conduct an unannounced Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI) to determine ABC Coke Division, Drummond Company, Inc.'s (ABC Coke), EPA ID# ALD000823179, compliance with the applicable regulations.

8) **Facility Description**

ABC Coke Division, Drummond Company, Inc. in Tarrant, Alabama, manufactures coke from coal. ABC Coke primarily produces foundry coke but also makes furnace coke. Foundry coke is typically larger in size and is used in foundry cupolas. Furnace coke is typically smaller in size and is used in blast furnaces. ABC Coke employs approximately 375 people and operates 7 days per week, 24 hours per day.

ABC Coke operates three coke oven batteries. The Wilputte battery has 78 five-meter ovens and produces 75 percent of the total coke produced by ABC Coke. The two Becker batteries have 54 four-meter ovens and produce 25 percent of the total coke produced by ABC Coke. Coal is placed in the coke batteries, in the absence of air, at a temperature of approximately 2,100 degrees Fahrenheit. The coal breaks down in this destructive distillation process, creating coke oven gas and coke. The volatile products from the coal and coal tar derivatives are recovered and separated in the coke by-products recovery plant.

Listed hazardous waste generated in the coke by-products plant and other solid wastes are recycled into the coke ovens using an onsite waste recycling process created by Kipin Industry, Inc (EPA ID PAD987355955) headquartered in Aliquippa, PA. The "Kipin" process, as known at ABC Coke, receives materials for recycling from the coke by-products plant (i.e., tar decanter sludge) and from outside facilities in Ohio, New Jersey, and Alabama.

The materials are placed into open-topped tanks called half-vats. An excavator moves the material from the half-vats into a bin that feeds an auger. In the auger, the materials from the by-products plant are mixed with coal. The mixture is dropped onto a conveyor belt that discharges on the pad located in the south end of the process area. A front end loader is used to move the coal-by-products mixture into the chute that dumps onto the conveyor belt connected with the No. 10 Silo.

The product produced by the Kipin process is stored in the No. 10 Silo to be fed into the coke ovens. The Kipin product can be used in both furnace and foundry coke manufacturing. The Kipin Process Area has been operating on the ABC Coke facility since 1995 with an approval letter from the ADEM Birmingham field office.

ABC Coke's most recent Hazardous Waste Generator Notification (EPA Form 8700-12) dated May 31, 2011, characterized the facility as non-generator of hazardous waste, a used oil generator/collector and small quantity universal waste handler.

Currently, ABC Coke generates used oil, universal wastes, spent aerosol cans and other wastes which include EPA Waste Codes D001, D008, D039, and F003.

9) **Previous Inspection History**

On May 4-10, 2011, the EPA's National Enforcement Investigations Center (NEIC) conducted a focused multimedia Clean Air Act (CAA) and Resource Conservation and Recovery Act (RCRA) compliance investigation of the ABC Coke plant in Tarrant, Alabama. The primary focus of the NEIC investigation was ABC Coke's coke by-products recovery plant. NEIC was accompanied by representatives from the EPA Region 4 Office, the Alabama Department of Environmental Management (ADEM), and the Jefferson County Department of Health (JCDH). A report from this inspection is being coordinated by the EPA Region 4 Office of Environmental Accountability (OEA) and will be transmitted to the facility at a later date.

On December 15, 2004, ADEM conducted a compliance evaluation inspection based on a complaint. No apparent violations were found at the time of 2004 inspection.

10) **Findings**

Upon arriving at the ABC Coke facility, the inspection team presented their credentials to Mark Poling, Manager of Engineering and Environmental Compliance at 10:10 AM. At the opening conference, a brief explanation for the purpose of the inspection was given, introductions of the inspection team were conducted, and a description of the facility operations was requested. The inspectors requested a tour of the facility. The inspectors then performed a walk-through inspection of the facility. Below is a description of the observations made during the walk-through.

Material Handling

Incoming loads of coke, breeze (ground up coke, (Picture 6)) and coal are brought in via rail and truck. The cars are placed on a rotary dump and rolled over to empty the cars. Material Handling is located on the left side of the smoke stack and the Chemical Plant on the right side (Pictures 3-5). The Material Handling area feeds the batteries located along the north and south line of the facility. Ten silos located in the Material Handling area are used to store coal, breeze and non-solid wastes (Picture 7). Banks of coal are stockpiled in the Material Handling area with ditches dug beside them to capture runoff coal in the storm water. Piles of coke are also stored for feeding into the furnaces (Picture 8).

The Kipin Process area is located in the Material Handling area close to the coal and coke stockpiles (Pictures 9-10). This process combines the chemical plant by-products and other plant wastes with coal and feeds it back into the batteries' furnaces.

KMAC Yard

KMAC Services (EPA ID ALR000008474) is an independent contractor who collects the waste streams of non-hazardous materials from around the facility. The "trash" waste is collected in blue open roll off and disposed of in a local landfill (Picture 11). KMAC also collects carbon waste generated from around the facility (Pictures 15-16).

The carbon waste is considered low-specification but still has an output of at least 10,000 BTUs. KMAC removes the carbon from the waste and resells the carbon. KMAC is located at the end of Material Handling by the finished coke stockpiles (Pictures 12-14). At the time of the inspection, the inspection team observed plant trash (i.e., two partial filled aerosol cans) on top of the carbon waste piles (Picture 17). Both cans were missing labels and nozzles.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-2-.01(2) [40 C.F.R. § 262.11]. A person who generates a solid waste, as defined in 335-14-2-.01(2), must determine if that waste is a hazardous waste. The aerosol cans' contents and the carbon from the facility waste needs hazardous waste determinations.

Pre-Treatment Pond

The inspection team observed storm water ditches beside the coke and coal stockpiles (Picture 18). The storm water ditches are used to collect the runoff coal fines. The storm water and fines flow into a Pre-Treatment Pond (Picture 19) where the fines settle out and are removed. The fines are analyzed to determine if they can be possibly used in the process or as base building material for the coke piles. An outlet from the Pre-Treatment Pond releases the storm water into the Surface Impoundment (Pictures 21-22). The storm water from the Pre-Treatment Pond is not tested prior to release to the Surface Impoundment.

Any oil releases or sheens from the sprinkler or storm water runoff on the facility are captured in the Pre-Treatment Pond and skimmed. Any oil releases or sheens that bypass the Pre-Treatment are captured with a boom in the Surface Impoundment. The booms are recycled by the Kipin Process.

Surface Impoundment

Directly across from the Pre-Treatment Pond is the Surface Impoundment (Picture 20). An inlet pipe releases the storm water from the Pre-Treatment Pond into the clay-lined Surface Impoundment (Picture 23). Banks of coal fines surround the inlet (Pictures 24-25) at the mouth of the Surface Impoundment.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-2-.01(2) [40 C.F.R. § 262.11]. A person who generates a solid waste, as defined in 335-14-2-.01(2), must determine if that waste is a hazardous waste.

The Surface Impoundment has a discharge outfall to Five Mile Creek (Picture 26). ABC Coke is allowed to discharge storm water from the Surface Impoundment to Five Mile Creek after 72 hours retention time.

The Surface Impoundment flows from the inlet, around the fines banks to a filter dam (Picture 27). The storm water permeates the filter dam which is constructed of ½ inch felt under six-inches of sand and twenty feet of riprap. The dam was constructed in 1985, and goes the entire depth of the Surface Impoundment. Beyond the dam is a concrete spillway (Picture 28), and to the right of the dam is the Surface Impoundment extends and borders along the KMAC Area (Pictures 29-30).

Biological Wastewater Treatment Plant (WWTP)

ABC Coke collects the water from the facility for treatment (Picture 31-32). The WWTP uses single, double and triple cell organisms to eat the ammonia, phenols and other pollutants generated at ABC Coke. The Equalization Basins have two aerators that mixed bugs into the wastewater. The bugs cause nitrification using the ammonia which converts into nitrites and nitrates. The bugs are temperature dependent and take four to five weeks to train to eat the chemicals in the wastewater. The sludge from the WWTP has a residence time of 32 days. Every four days a vacuum operated filter press removes the bugs from the sludge. This process is to make the bugs hungry so that the bugs will feed on the pollutants in the wastewater.

The WWTP uses a Calgon Carbon Corporation, Pittsburgh, PA, filtration system. Calgon removes the deactivated carbon from ABC Coke WWTP and reprocesses it. Calgon replaces the old deactivated carbon with new activated carbon back into the filtration system. This carbon is not placed in the coking process, but shipped back to Calgon Carbon.

Main Maintenance Shop

The Main Maintenance Shop has the one of three solvent parts washers supplied by Safety Kleen Systems, Inc. (Picture 33). At the time of the inspection, the inspection team observed absorbent on top of an oily substance surrounding an equipment base (Picture 34) and a KMAC scrap bin with discarded aerosol cans (Pictures 35-36).

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-2-.01(7)(a)(2) [40 C.F.R. § 261.7(a)(2)]. A container that is not empty or an inner liner removed from a container that is not empty, as defined in 335-14-2-.01(7)(b) is subject to regulation under 335-14-2 through 335-14-9 and to the notification requirements of Section 3010 of RCRA.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-2-.01(2) [40 C.F.R. § 262.11]. A person who generates a solid waste, as defined in 335-14-2-.01(2), must determine if that waste is a hazardous waste. The contents of the aerosol cans need to be determined if hazardous or non-hazardous.

Container Building

The Container Building is used to store used oil containers, product oil drums and oil changing equipment. The used oil containers in this building are considered a part of the containment system. The floor grates are also considered part of the containment system. The containment system discharges to the By-Products Area, then to the Ammonia Still prior to being release to the WWTP.

The inspection team observed in the Container Building an oil distribution station (Picture 37), a used oil tank in secondary containment (Pictures 38-39), a green 55-gallon drum marked "Scrap Oil" (Picture 40) a green KMAC scrap bin (Picture 41), a labeled used oil container with a labeled funnel (Picture 42), a blue plastic swimming pool had an oily residual (Picture 43), an open, unlabeled 5-gallon container of used oil residuals (Picture 44), an open 5-gallon container of used oil with two spent oil filters inside (Picture 45), two labeled and open used oil drainage

containers with residuals in the bottom (Pictures 46-47) and the second Safety Kleen solvent parts washer (Picture 48) with oily sheen and absorbent around the bottom of the drum.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-17-.03(4)(c)(1) [40 C.F.R. § 279.22(c)(1)]. Labels must be legible from a distance of at least 25 feet. Containers and used oil tanks, except underground tanks, used to store used oil at used oil generator locations must be labeled or marked clearly with the words "Used Oil". The green 55-gallon drum was labeled "Scrap Oil", and the blue plastic swimming pool with an oily residual inside was unmarked.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-6-.09(2) [40 C.F.R. § 265.171]. If a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer the hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this part. The Safety Kleen parts washer drum had an oily residual around the bottom of the drum and on the surrounding floor.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-17-.03(4)(a) [40 C.F.R. § 279.22(a)]. Used oil generators shall not store used oil in units other than used oil tanks, containers, or units subject to regulation under Chapters 335-14-5 and 335-14-6. The blue plastic swimming pool was used to store used oil.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-17-.03(4)(a)(1) [40 C.F.R. § 279.22(a)(1)]. A container holding used oil must always be closed during storage, except when it is necessary to add or remove used oil. An open used oil container held two used oil filters inside and the used oil container in Picture 46 had more than one-inch of residual inside.

Kipin Process Area

At the time of the inspection, the Kipin Process Area was not in operation. The inspection team observed the entrance (Picture 49-50) to the area clear of heavy equipment but there were by-products in the half-vats (Picture 51-53). Beside the mixing area is a shed where the finished by-products mixture is placed on conveyor and sent to a silo (Picture 54). Near the shed are two metal tanks marked "Holding Tank" (Picture 64). These tanks are used to hold the liquid to be mixed into the process. An overall view of the Kipin Process in Pictures 65, 66 and 69 showed the half-vats filled with coke by-products, the bins where the coal was added and the conveyor system to the concrete pad, as well as the conveyor system to the silo in the background.

Between the half-vats and the concrete pad were the equipment building (Picture 61) and the conveyor system used to move the by-products mixture on the concrete pad (Picture 57). The inspection team observed discarded materials on the ground next to the equipment building (Picture 62). The inspection team was informed that discarded material would be cleaned and sent to the KMAC area. Near the discarded materials was runoff liquid from the equipment (Picture 63).

The concrete pad in the Kipin process area is surrounded on three sides by walls constructed of concrete blocks and covered in 1/2-inch steel seam welded sheets. The base or floor of the pad is eighteen inches of impermeable concrete with a six-inch channel poured in concrete (Pictures 55-56, 58-60). At the time of the inspection, the inspection observed the seam welded sheets showed gaps and openings at the welds, and the walls had damage from the use of heavy equipment. Coke by-products are considered hazardous waste until recycled. However, at the time of the inspection, the by-products were not sufficiently contained in the Kipin process area because of the gaps in the welded seams..

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-6-.03(2) [40 C.F.R. § 265.31]. Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

The road surrounding the Kipin Process and the coke and coal stockpiles is lined with a sprinkler system that sprays the road to keep the dust down (Pictures 67-68). The runoff from the sprinkler system is caught in the storm water drains and conveyed to the Pre-Treatment Pond.

Door Maintenance Shop

The Door Maintenance Shop removes, repairs and replaces the doors of the furnaces (Picture 70). The doors are fitted with ceramic plugs inside (Picture 71) for heat insulation. The plugs, manufactured in Pittsburgh, PA, are replaced every six months when they become too cracked and then used in the facility as drainage ditch dividers.

During the inspection, the inspection team observed cans of Kroil and paint in the shop (Pictures 72) and a can of Kroil in the shop garbage (Picture 73). Kroil is listed in the material safety data sheet as combustible liquid and vapor.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-2-.01(7)(a)(2) [40 C.F.R. § 261.7(a)(2)]. A container that is not empty or an inner liner removed from a container that is not empty, as defined in 335-14-2-.01(7)(b) is subject to regulation under 335-14-2 through 335-14-9 and to the notification requirements of Section 3010 of RCRA.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-2-.01(2) [40 C.F.R. § 262.11]. A person who generates a solid waste, as defined in 335-14-2-.01(2), must determine if that waste is a hazardous waste.

At the time of the inspection, the inspectors observed carbon from a door in a wheel barrow (Picture 74). The door removed from repair is covered with carbon from the furnace. The carbon is removed from the door depending on the British Thermal Unit (BTU) value may be recycled thru the Kipin Process. However, if the BTU value is too low then the carbon is recycled through the KMAC yard.

Electrical Shop

The inspection team observed the third Safety Kleen parts washer in the Electrical Shop (Picture 76).

The Electrical Shop collects and replaces the spent fluorescent lamps and HID lamps at the facility (Picture 75). The shop crushes the fluorescent lamps in a non-filtered bulb crusher attached to a 5-gallon container (Picture 77-79). Air Cycle Corporation located in Lisle, IL, manufactured the Bulb Eater® Model No. 6 Fluorescent Tube Disposal Unit. The crushed lamps are bagged in black plastic trash bags and discarded by KMAC. The spent HID lamps are also picked up and discarded by KMAC.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.01(5)(b)(3). Lamps that are broken, crushed, or otherwise no longer intact are not to be handled as universal waste.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-2-.01(2) [40 C.F.R. § 262.11]. A person who generates a solid waste, as defined in 335-14-2-.01(2), must determine if that waste is a hazardous waste. The crushed lamps disposed of by KMAC need to be determined to be hazardous or non-hazardous.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(2)(a-b) [40 C.F.R. § 273.11(a-b)]. A small quantity handler of universal waste is prohibited from disposing of universal waste; and prohibited from diluting or treating universal waste, except by responding to releases as provided in 335-14-11-.02(8); or by managing specific wastes as provided in 335-14-11-.02(4) or 335-14-8-.01(1)(c)2.(x).

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(4)(d)(1) [40 C.F.R. § 273.13(d)(1)]. A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(5)(e) [40 C.F.R. § 273.14(e)]. Each lamp or a container or package in which the lamps are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste -- Lamp(s)", or "Waste Lamp(s)", or "Used Lamp(s)".

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(6)(a) [40 C.F.R. § 273.15(a)]. A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated, or received from another handler, unless the requirements of 335-14-11-.02(6)(b) are met.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(6)(c) [40 C.F.R. § 273.15(c)]. A small quantity handler of universal waste who accumulates

universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(7) [40 C.F.R. § 273.16]. A small quantity handler of universal waste must inform all employees who handle or have responsibility for managing universal waste. The information must describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.

Storeroom

The Storeroom staff signs and tracks the hazardous waste manifests for the Safety Kleen parts washers. The Storeroom also stores the boxes of new fluorescent lamps and new lead acid batteries. At the time of the inspection, the inspection team observed five pallets of spent lead acid batteries stored outside (Picture 80, 85) waiting to be returned to the supplier. Five of the spent batteries observed had open ports in the battery casing (Picture 81 – 84).

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(4)(a)(1) [40 C.F.R. § 273.13(a)(1)]. A small quantity handler of universal waste must contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(5)(a) [40 C.F.R. § 273.14(a)]. Universal waste batteries (i.e., each battery), or a container in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: “Universal Waste-Battery(ies)”, or “Waste Battery(ies)”, or “Used Battery(ies)”.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(7) [40 C.F.R. § 273.16]. A small quantity handler of universal waste must inform all employees who handle or have responsibility for managing universal waste. The information must describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-11-.02(2)(a)(2) [40 C.F.R. § 273.2(a)(2)]. Spent lead-acid batteries which are not managed under 335-14-7-.07 are subject to management under this 335-14-11.

Records Review

After the walk-through, the inspection team examined the hazardous waste manifests and the Contingency Plan. The generator notification (EPA form 8700-12) was last updated May 31, 2011. The paperwork provided reflected ABC Coke’s status as a conditionally exempt small quantity generator (CESQG).

KMAC disposal tickets for the facility waste, aerosol cans, crushed fluorescent lamps and the low-value carbon were not available. At the time of the inspection, the inspection team was told that ABC Coke did not manifest the waste removed by KMAC.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-6-.05(c) [40 C.F.R. § 265.71(c)]. Whenever a shipment of hazardous waste is initiated from a facility, the owner or operator of that facility must comply with the requirements of 335-14-3.

Used oil generated by the facility is recycled to the coke ovens.

Hazardous waste manifests for 2008-2011 were provided for the parts washers serviced by Safety Kleen Systems, Inc. located in Lexington, SC. ABC Coke generated 117 gallons (808 pounds) in 2008, 157 gallons (1,085 pounds) in 2009, 225 gallons (1,555 pounds) in 2010, and 89 gallons (615 pounds) as of this inspection. Safety Kleen has removed up to 45 gallons of solvent waste per pickup. This calculates to 311 pounds of solvent waste for the month. This amount exceeds ABC Coke's generator status of CESQG. At the time of the last Safety Kleen pickup of 44 gallons (304 pounds) on August 23, 2011 under Manifest No. 004317541FLE, ABC Coke was a small quantity generator.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-3-.03(5)(d) [40 C.F.R. § 262.34(d)]. A Small Quantity Generator may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status provided that:

- 1. The quantity of waste accumulated on-site never exceeds 6000 kilograms;**
- 2. For accumulation in containers, the generator complies with the requirements of 335-14-6-.09 except 335-14-6-.09(7) and (10);**
- 3. For accumulation in tanks, the generator complies with the requirements of 335-14-6-.10(12), which outlines hazardous waste tank inspection and documentation requirements for Small Quantity Generators;**
- 4. For accumulation on drip pads, the generator complies with 335-14-6-.23 and maintains the following records at the site:**
 - (i) A description of procedures that will be followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 180 days; and**
 - (ii) Documentation of each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system and the date and time of removal.**
- 5. The generator complies with the requirements of 335-14-3-.03(5)(a)2. and (a)3., the requirements of 335-14-6-.03, with all applicable requirements under 335-14-9; and**
- 6. The generator complies with the following requirements:**

- (i) At all times there must be at least one employee either on the premises or on call (i.e., available to respond to an emergency by reaching the site within a short period of time) with the responsibility for coordinating all emergency response measures specified in 335-14-3-.03(5)(d)6.(iv). This employee is the emergency coordinator.
- (ii) The generator must post the following information next to the telephone:
 - (I) The name and telephone number of the emergency coordinator;
 - (II) Location of fire extinguishers and spill control material, and, if present, fire alarm; and
 - (III) The telephone number of the fire department, unless the generator has a direct alarm.
- (iii) Employees must complete an initial training program in hazardous waste management within six months after the date of their employment or assignment to a new position, whichever is later. Employees must not work in unsupervised positions until they have completed the training requirements of 335-14-6-.02(7)(b).
 - (I) The training program must be designed to ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal site operations and emergencies;
 - (II) The generator must maintain at the site documentation that the required training has been administered to and completed by required employees. Documentation of training records must be maintained on-site for a period at least three years from the date the employee last worked for the generator or until the generator closes, whichever comes first.
 - (III) The generator must maintain on-site a written description of the training required under 335-14-3-.03(5)(d)6.(iii).
- (iv) The emergency coordinator or his designee must respond to any emergencies that arise. The applicable responses are as follows:
 - (I) In the event of a fire, call the fire department or attempt to extinguish it using a fire extinguisher;
 - (II) In the event of a spill, contain the flow of hazardous waste to the extent possible, and as soon as is practicable, clean up the hazardous waste and any contaminated materials or soil;
 - (III) In the event of a fire, explosion, or other release which could threaten human health or the environment off-site or when the generator has knowledge that a spill has reached surface water, the generator must immediately notify the Alabama Emergency Management Agency (800/843-0699, 24 hours a day) and the National Response Center (using their 24-hour toll free number 800/424-8802 or 202/267-2675).

The report must include the following information:

- I. The name, address, and U.S. EPA Identification Number of the generator;
- II. Date, time, and type of incident (e.g., spill or fire);

- III. Quantity and type of hazardous waste involved in the incident;
- IV. Extent of injuries, if any; and V. Estimated quantity and disposition of recovered materials, if any.

- 7. The generator maintains sufficient documentation to demonstrate the quantity of hazardous waste generated each calendar month. This documentation must be retained on-site for at least three years from the date the waste was generated.

The Integrated Spill Prevention Control and Countermeasure/Stormwater Best Management Practices Plan, Revision 2, was updated in November 2008. The plan was designed for above ground storage tank spills of mostly oil, some by-products and fuels. ABC Coke has 1,320 gallons stored above ground. The plan requires the facility to ensure *"daily safety and housekeeping inspections are conducted in all areas of the facility, including oil storage area."* No records were available to review at the time of the inspection. Spill kits indicated in the plan were not observed during the inspection.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-6-.04(3)(b-f). (b) If the owner or operator has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan or some other emergency or contingency plan, he need only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of 335-14-6. The owner or operator may develop one contingency plan which meets all regulatory requirements. ADEM recommends that the plan be based on the National Response Team's Integrated Contingency Plan Guidance ("One Plan"). When modifications are made to non-RCRA provisions in an integrated contingency plan, the changes do not trigger the need for a RCRA permit modification.

(c) The plan must describe arrangements agreed to by local law enforcement, fire departments, hospitals, contractors, and ADEM Field Operations Division and local emergency response teams to coordinate emergency services, pursuant to 335-14-6-.03(8).

(d) The plan must list names, office and home addresses and phone numbers of all persons qualified to act as emergency coordinator (see 335-14-6-.04(6)), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.

(e) The plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.

(f) The plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the

primary routes could be blocked by releases of hazardous waste or fires). All evacuation routes should be depicted on a map to be included with the evacuation plan.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-6-.04(4). A copy of the contingency plan and all revisions to the plan must be: (a) Maintained at the facility; and (b) Submitted to all local law enforcement, fire departments, hospitals, and ADEM Field Operations Division and local emergency response teams that may be called upon to provide emergency services. Documentation of compliance with this requirement must be maintained at the facility.

At the time of the inspection, no personnel training records on hazardous waste management were available for review.

ABC Coke is in apparent violation of ADEM Administrative Code R. 335-14-6-.02(7). (a) Facility personnel whose duties have a direct effect on hazardous waste management and/or hazardous waste accumulation, whether by direct contact with the hazardous waste or through hazardous waste management activities, must receive training.

1. Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of 335-14-6. The owner or operator must ensure that this program includes all the elements described in the document required under 335-14-6-.02(7)(d)3.
2. This program must be directed by a person trained in hazardous waste management procedures, and must include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed.
3. At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including where applicable: (i) Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; (ii) Key parameters for automatic waste feed cut-off systems; (iii) Communications or alarm systems; (iv) Response to fires or explosions; (v) Response to groundwater contamination incidents; and (vi) Shutdown of operations.
4. For facility employees that receive emergency response training pursuant to Occupational Safety and Health Administration (OSHA) regulations 29 C.F.R. 1910.120(p)(8) and 1910.120(q), the facility is not required to provide separate emergency response training pursuant 335-14-6-.02(7), provided that the overall facility training meets all the requirements of 335-14-6-.02(7).

(b) Facility personnel must successfully complete the program required in 335-14-6-.02(7)(a) within six months after the effective date of these regulations or six months after

the date of their employment or assignment to a facility, or to a new position at a facility, whichever is later. Employees hired after the effective date of these regulations must not work in unsupervised positions until they have completed the training requirements of 335-14-6-.02(7)(a).

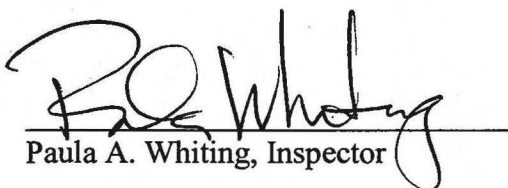
(c) Facility personnel must take part in an annual review of the initial training required in 335-14-6-.02(7)(a).

(d) The owner or operator must maintain the following documents and records at the facility: 1. The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; 2. A written job description for each position listed under 335-14-6-.02(7)(d)1. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position; 3. A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under 335-14-6-.02(7)(d)1.; 4. Records that document that the training or job experience required under 335-14-6-.02(7)(a), (b), and (c) have been given to, and completed by, facility personnel.

(e) Training records on current personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

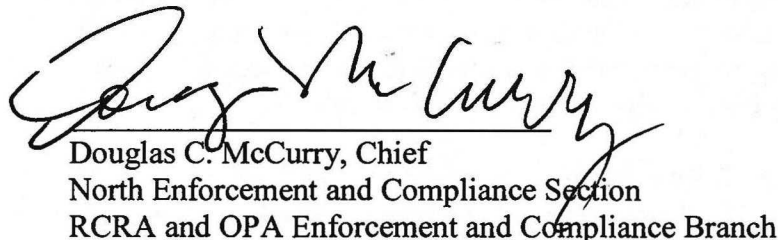
The closeout meeting was held with representatives of ABC Coke, ADEM and EPA, and the deficiencies noted in this report were discussed.

11) Signed


Paula A. Whiting, Inspector

11/30/11
Date

12) Concurrence


Douglas C. McCurry, Chief
North Enforcement and Compliance Section
RCRA and OPA Enforcement and Compliance Branch

11/30/11
Date

ATTACHMENT A

ABC COKE DIVISION, DRUMMOND COMPANY, INC.

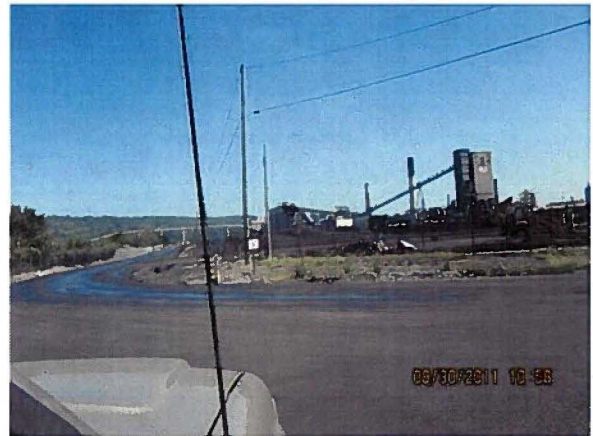
TARRANT, ALABAMA

COMPLIANCE EVALUATION INSPECTION PHOTOGRAPHS

August 30-31, 2011



Picture 1 – Facility sign



Picture 4 – Incoming material flow from rail and/or truck



Picture 2 – Storm water runoff containment tank



Picture 5 – Incoming material flow from rail and/or truck



Picture 3 – Incoming material flow from rail and/or truck



Picture 6 – Breeze pile



Picture 7 – Silo storage for coal, breeze and solid waste stock feed



Picture 10 – Overview of Kipin Industry, Inc. process



Picture 8 – Coke stockpile



Picture 11 – KMAC Recycling yard – facility trash roll off



Picture 9 – Overview of Kipin Industry, Inc. process



Picture 12 – KMAC yard – Coke piles



Picture 13 – KMAC yard – Coke piles



Picture 16 – KMAC yard –Carbon waste recycling



Picture 14 – KMAC yard – Coke piles



Picture 17 – KMAC yard – Aerosol can in the carbon waste recycling pile



Picture 15 – KMAC yard –Carbon waste recycling



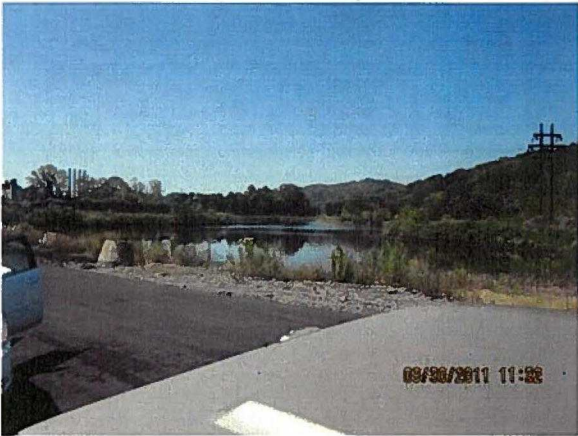
Picture 18 – Storm water run off ditch with a dam



Picture 19 – Pre-treatment for storm water runoff



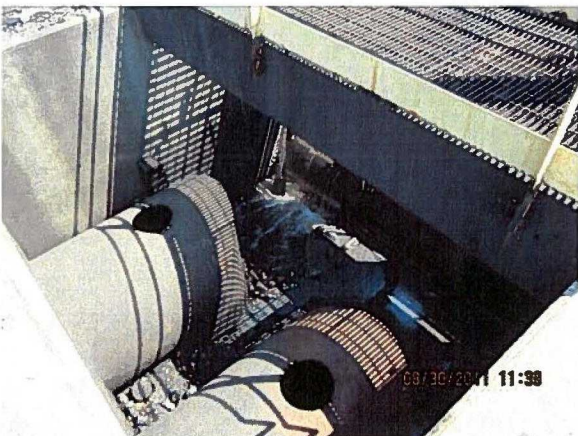
Picture 22 – Outlet from Pre-treatment to surface impoundment



Picture 20 – Surface Impoundment



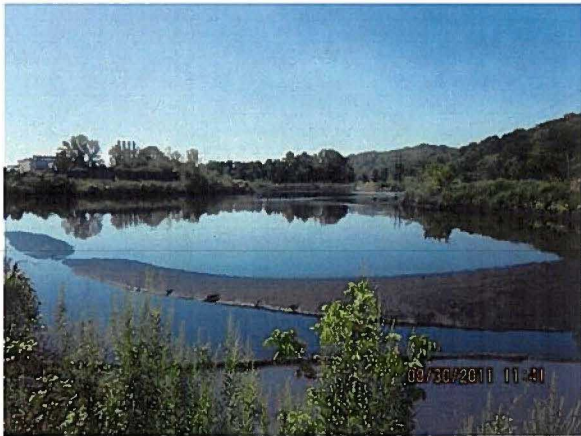
Picture 23 – Inlet to surface impoundment



Picture 21 – Outlet from Pre-treatment to surface impoundment



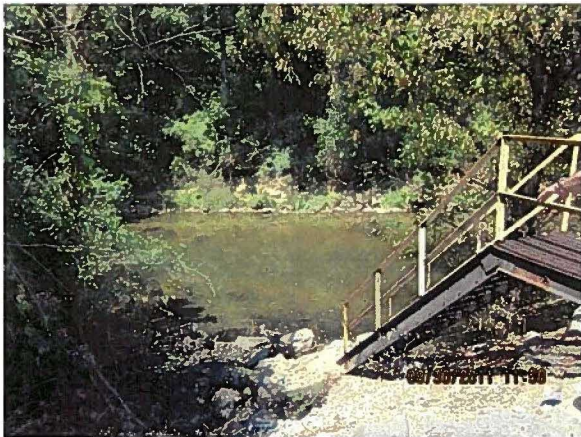
Picture 24 – Surface impoundment fines bank



Picture 25 – Surface impoundment fines bank



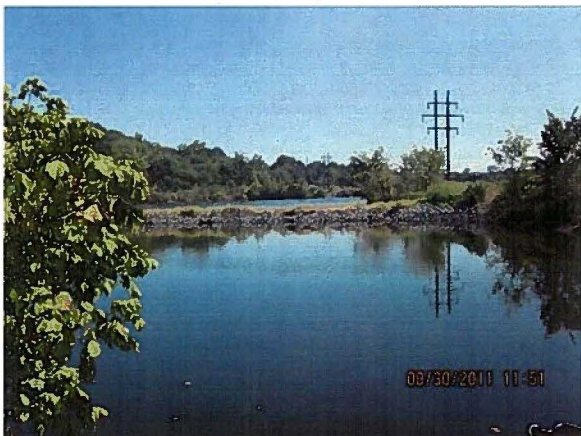
Picture 28 – Concrete spillway



Picture 26 – Five Mile Creek outfall for ABC Coke



Picture 29 – Long view of Surface impoundment



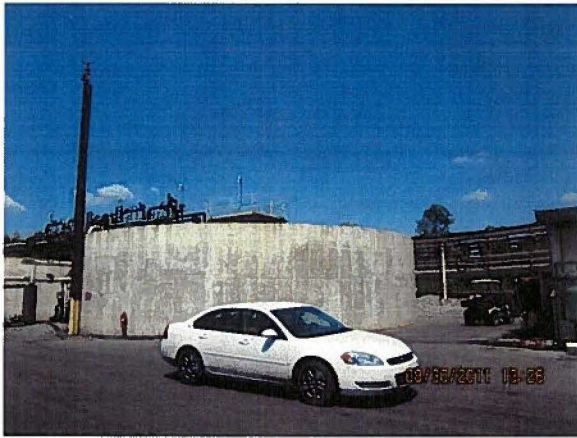
Picture 27 – View behind the filter dam of the surface impoundment



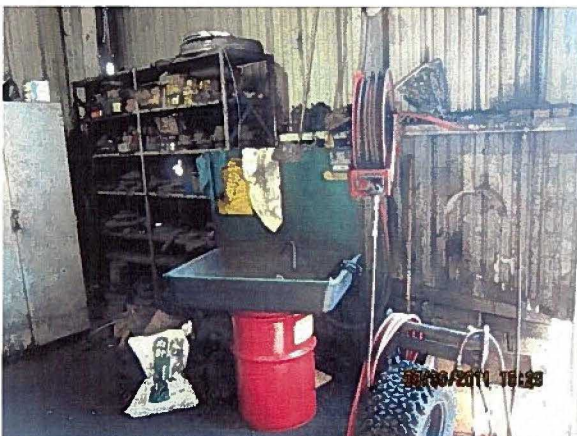
Picture 30 – Long view of surface impoundment towards plant



Picture 31 – Waste water treatment plant



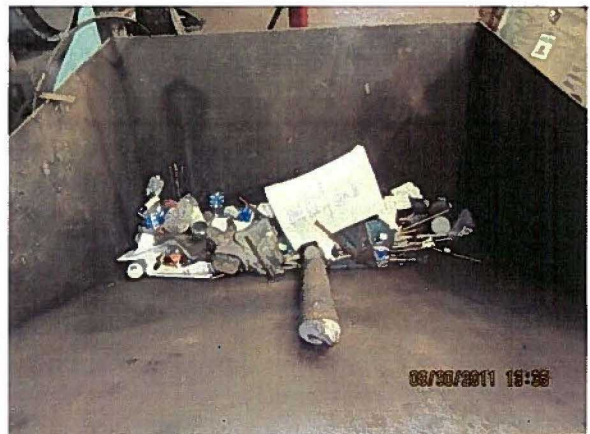
Picture 32 – Waste water treatment plant



Picture 33 – Main Maintenance Shop parts washer



Picture 34 – Main Maintenance Shop absorbent around equipment base



Picture 35 – Main Maintenance Shop KMAC scrap bin



Picture 36 – Main Maintenance Shop KMAC scrap bin with spent aerosol cans inside



Picture 37 – Container Building oil distribution station



Picture 40 - Container Building used oil drum marked "Scrap Oil"



Picture 38 - Container Building used oil tank and secondary containment



Picture 41 – Container Building KMAC scrap bin



Picture 39 - Container Building used oil tank secondary containment



Picture 42 – Container Building used oil container with yellow funnel



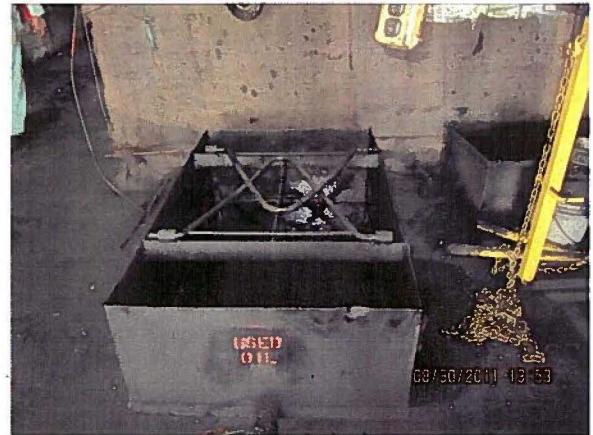
Picture 43 - Container Building unmarked used oil container



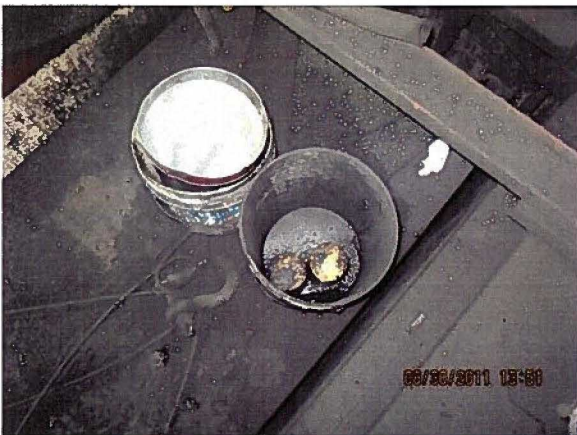
Picture 46 - Container Building open used oil container



Picture 44 - Container Building open used oil container



Picture 47 - Container Building open used oil container



Picture 45 - Container Building open used oil container and spent filters



Picture 48 - Container Building parts washer with oil residue around bottom of the drum



Picture 49 – View of Kipin Process Area



Picture 52 – Kipin Process Area mixing area



Picture 50 – Entrance view of Kipin Process Area



Picture 53 – Kipin Process Area coke by products mixture



Picture 51 – Kipin Process Area half vats mixing area



Picture 54 – Kipin Process Area mixture silo conveyor system



Picture 55 – Kipin Process Area mixture pad



Picture 58 – Kipin Process Area mixture pad steel side wall



Picture 56 – Kipin Process Area mixture pad



Picture 59 – Kipin Process Area mixture pad steel side wall



Picture 57 – Kipin Process Area mixture conveyor to pad



Picture 60 – Kipin Process Area mixture pad steel back wall



Picture 61 – Kipin Process Area equipment building



Picture 62 – Kipin Process Area discarded material for KMAC



Picture 63 – Kipin Process Area liquid discharge from equipment



Picture 64 – Kipin Process Area Hold Tanks for liquid used in the process



Picture 65 – Kipin Process Area mixing area and conveyor



Picture 66 – Kipin Process Area mixing area and conveyor



Picture 67 – Sprinkler water run off



Picture 68 – Sprinkler water run off



Picture 69 – Above view of Kipin Process Area



Picture 70 – Door Maintenance Shop



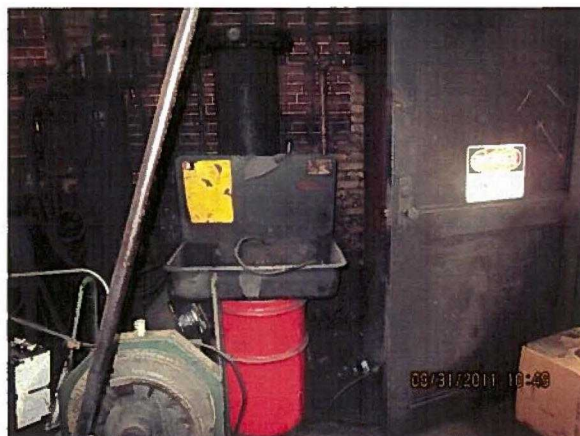
Picture 71 – Door Maintenance Shop door with a ceramic plug



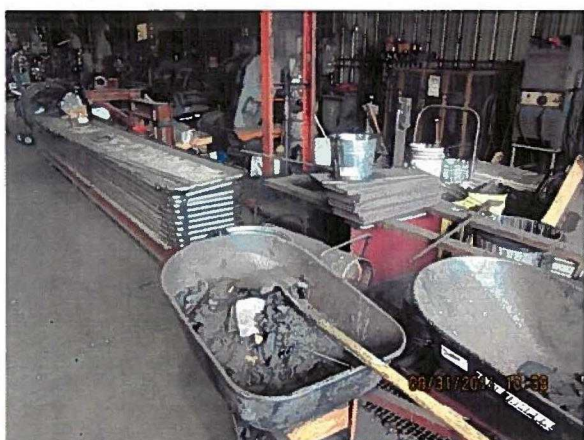
Picture 72 – Door Maintenance Shop garbage can with Kroil aerosol can inside



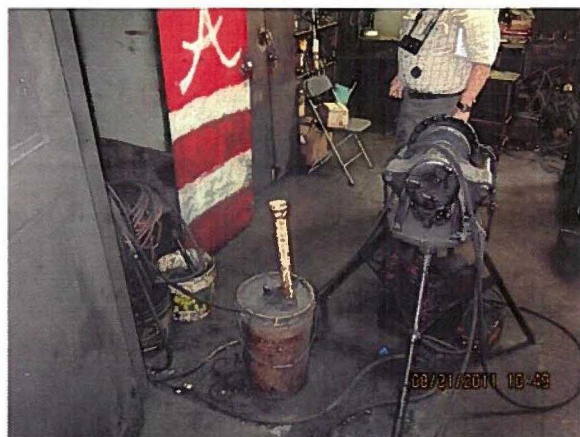
Picture 73 – Door Maintenance Shop Kroil and paint aerosol cans



Picture 76 – Electrical Shop parts washer



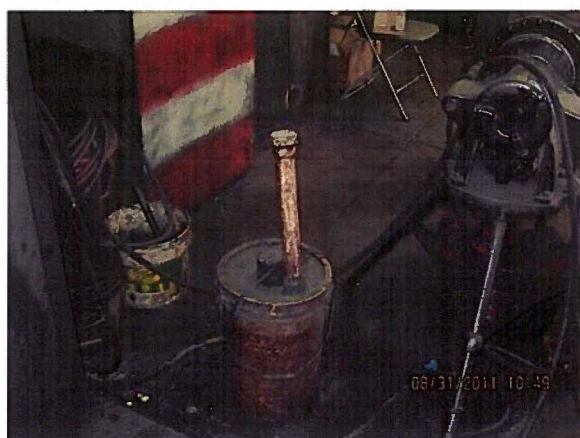
Picture 74 – Door Maintenance Shop carbon from a door to be recycled



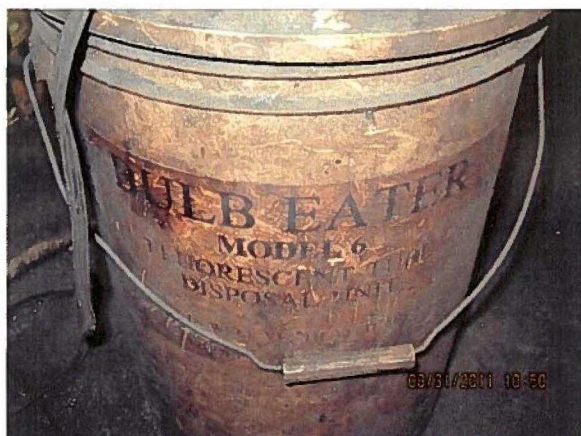
Picture 77 – Electrical Shop bulb crusher



Picture 75 – Electrical Shop boxes of new 8-foot bulbs



Picture 78 – Electrical Shop bulb crusher



Picture 79 – Electrical Shop bulb crusher label



Picture 80 – Storeroom spent lead acid batteries



Picture 81 – Storeroom spent lead acid batteries, some with open ports



Picture 82 – Storeroom spent lead acid batteries, some with open ports



Picture 83 – Storeroom spent lead acid batteries, some with open ports



Picture 84 – Storeroom spent lead acid batteries, some with open ports



Picture 85 – Storeroom spent lead acid batteries

